

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC

In the matter of: )  
 )  
Creation of a Low Power Radio Service ) MM Docket-99-25  
 )  
 )

**COMMENTS OF REC NETWORKS**

1. REC Networks (“REC”), an unincorporated entity through its founder Michelle (Michi) Eyre is a long-time proponent for the Low Power FM (“LPFM”) radio service from the original petitions for the service through today and into the future. REC is best known for our free self-service broadcast tools including the original online Low Power FM channel search tool<sup>1</sup> as well as providing education regarding the Low Power FM Radio Service as well as other broadcast services. REC believes in a citizen’s access to the airwaves.

2. REC will be addressing two *Petitions for Reconsideration* that were timely filed in the above captioned proceeding. We will address each Petition separately.

**LifeTalk Radio**

3. In the LifeTalk Radio (LTR) petition, LTR argues that since the Commission permits local chapters of larger organizations that have attributable broadcast interests can hold LPFM authorizations, they should also be permitted to claim the “new entrant” preference point. LTR argues that if a local chapter applicant is truly local and separate in purpose and control from its

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<sup>1</sup> - <http://myLPFM.com>

national organization, it should be found to be qualified to be an LPFM licensee and should not be saddled with the burden or attribution of the national organization's attributable interests<sup>2</sup>.

4. REC feels that Commission policy on the "new entrant" preference point is consistent with the overall direction of the LPFM service. The Commission is intending to make the LPFM service as simple as possible such as the acceptance of "simple" consumer accessible resources to make non-interference showings<sup>3</sup> and providing a LPFM channel search tool. We feel that it was the Commission's intention to "reward" those potential LPFM broadcasters who are going into broadcasting for the first time and may not have the help of associated organizations (or a parent organization) that already have the technical experience as a broadcaster.

5. As the entity that originally spearheaded the drive to get the Commission to change their rules on student operated stations at institutions with other broadcast interests, we take no issue with these applicants not being able to claim this point because we know that these stations already have an advantage of being able to obtain assistance "in-house" from their parent organization just like any other chapter of a larger organization with broadcast interests (such as United Methodist Church) can take advantage of. Therefore, we do not feel that these organizations, while separate from their "parent" organizations should be permitted to claim a "new entrant" point at the expense of those organizations that do not have those resources.

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<sup>2</sup> - LTR Petition at 3.

<sup>3</sup> - See Sixth R&O at 212. "Thus, in order to ease upfront technical burdens and engineering costs, we will accept a threshold second-adjacent waiver technical showing when an applicant seeks to make a no interference showing based on a lack of population in areas ...

6. Based on these reasons, we ask the Commission to deny the LTR Petition.

### **Let The Cities In**

7. The petition of Let The Cities In (“LTCI Petition”) is asking the FCC to reconsider the elimination of a sub-100 watt LPFM service<sup>4</sup>, whether it was the elimination of LP10 or the rejection of REC’s proposed 50-watt “enhancement” to the LP10 service (commonly referred to by some as “LP50”).

8. REC continues to support the creation of the service referred to some as LP50. LP50 stations would bring LPFM services into urban areas that would be otherwise denied access to LPFM service such as Brooklyn, New York, Orange County, California, portions of the San Francisco Bay Area and in suburban areas of Detroit. REC continues to feel that LP50 (or any new LPFM service class) can be created within the confines of the Local Community Radio Act, a notion on which the Commission agrees on<sup>5</sup>.

9. The Commission is already licensing 50 watts at 30 meters HAAT stations within the Mexican border region<sup>6</sup>. We feel that it is contradictory that the Commission would even license

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<sup>4</sup> - REC was not a party to the LTCI Petition.

<sup>5</sup> - Sixth R&O at 205.

<sup>6</sup> - See *Agreement Between the Government of the United States of America and the United Mexican States Relating to the FM Broadcasting Service in the band 88-108 MHz* at 2.1.2. All LPFM stations within 125 km of the common border with Mexico are limited to 50 watts ERP at 30 meters HAAT. This area is referred to by REC as the “Mexican Strip Zone”.

LPFM stations within this “strip zone” area at 50 watts at 30 meters HAAT yet claim that these stations would have the “same technical deficiencies as LP10 stations”<sup>7</sup>.

10. REC continues to support the creation of the LP50 service as an urban LPFM solution however REC was not a party to this *Petition for Reconsideration*. We agree in part with the Commission and the National Association of Broadcasters that a more complete record on the LP50 service would be necessary in order to advance the service class. We feel that this should be done through a future *Petition for Rulemaking* instead of through a *Petition for Reconsideration*<sup>8</sup>.

11. REC will take no specific position in support or in opposition to the LTCI Petition but we do wish to continue the need to emphasize the community need for a sub 100-watt (sub 5.6 km service contour) LPFM service, especially in urban areas that would otherwise be denied LPFM service.

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<sup>7</sup> - Id. at 204. We are also aware that the FCC’s licensing of 50-watt LPFM stations within the Mexican strip zone are using the same protection as LP100 stations.

<sup>8</sup> - We do respect the concerns of the parties of LTCI who feel the urgency of having a “sub-100 watt” LPFM service in place prior to the Commission’s projected October 15, 2013 LPFM filing window due to the potential FM Translator filing window that would take place after the LPFM window. Upon release of the *Sixth Report and Order*, REC had decided that we would limit any *Petition for Reconsideration* to issues that would not jeopardize the timing of the projected October 15, 2013 date for the LPFM filing window. This is why we limited our *Petition for Reconsideration* to “post grant” issues such as the application of the LCRA required periodic announcements made by LPFM stations.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michelle Eyre". The signature is fluid and cursive, with the first name "Michelle" written in a larger, more prominent script than the last name "Eyre".

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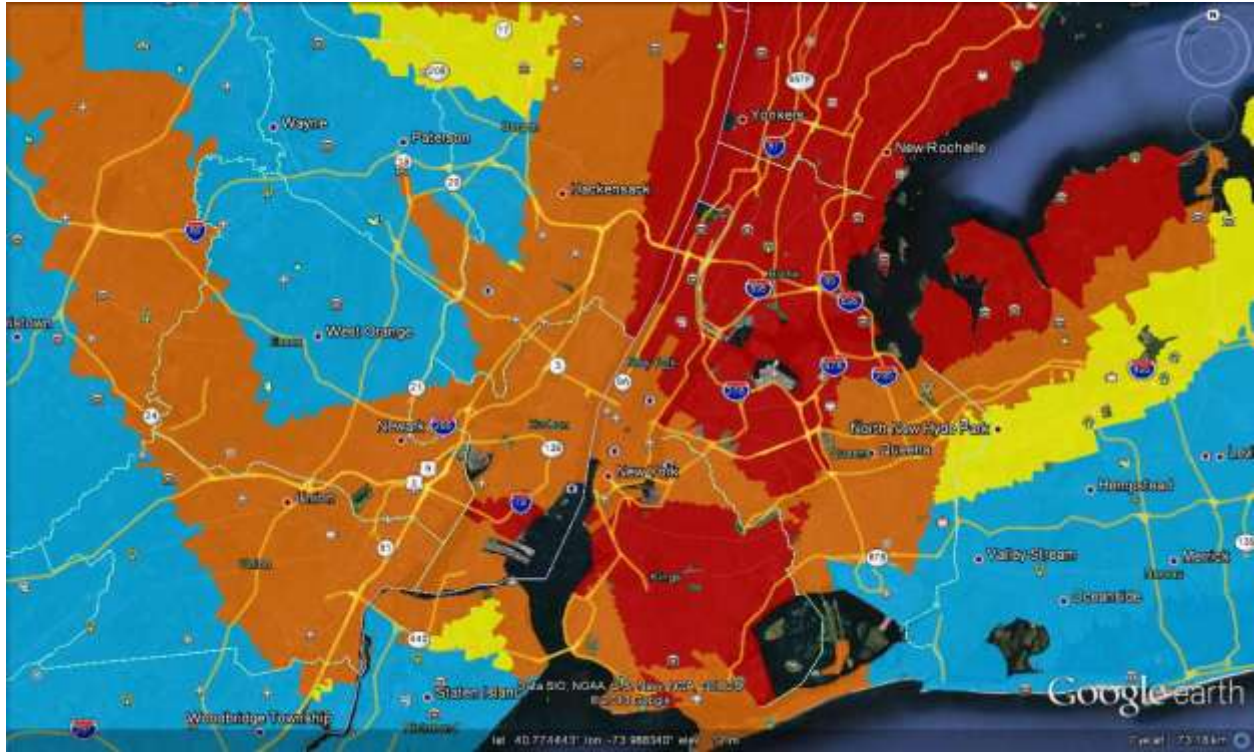
January 28, 2013

## APPENDIX A

### **LP50 AVAILABILITY IN SELECT URBAN MARKET AREAS**

The following is the color key for the maps presented:

Color		LP-250	LP-100	LP-50
None		YES	YES	YES
		NO	YES	YES
		WAVR	YES	YES
		WAVR	WAVR	YES
		WAVR	WAVR	WAVR
		NO	WAVR	YES
		NO	WAVR	WAVR
		NO	NO	YES
		NO	NO	WAVR
		NO	NO	NO



**NEW YORK CITY AREA**

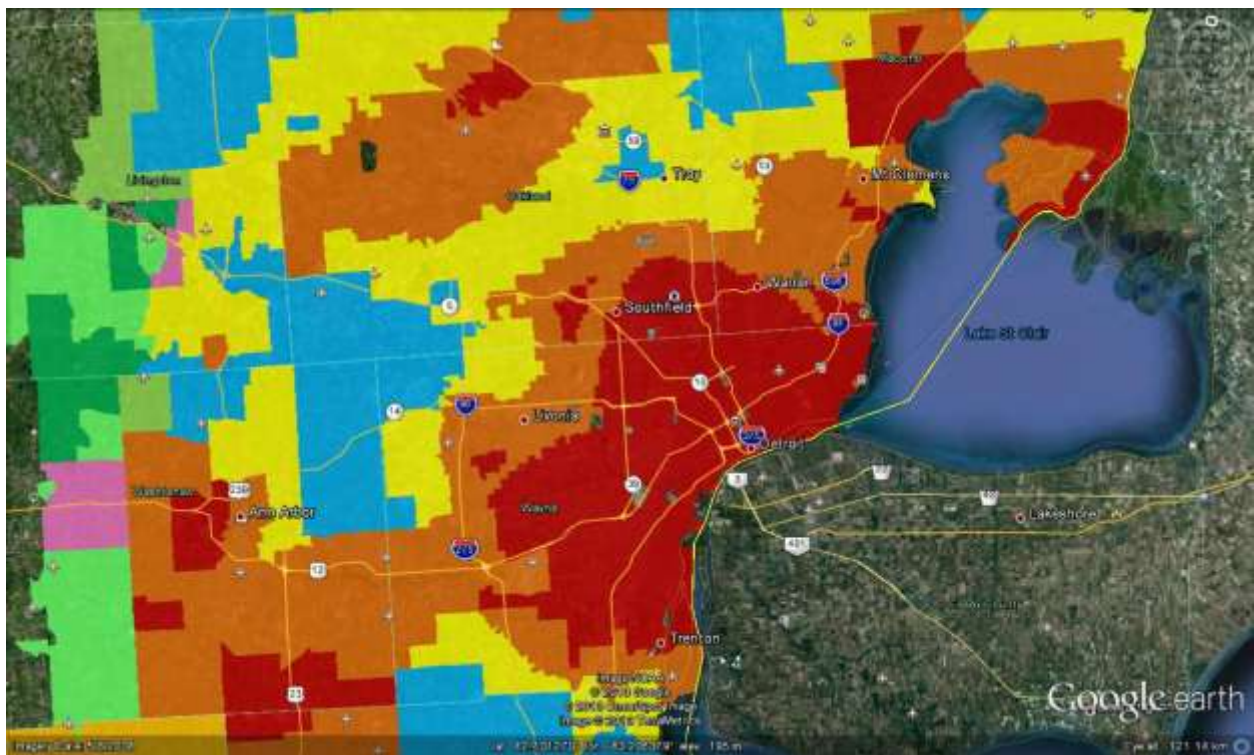


**LOS ANGELES AREA**





**SAN FRANCISCO BAY AREA**



**DETROIT AREA**